

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

JOSE MIGUEL DE LA CRUZ,
Plaintiff,
v.
OSCAR GALLOWAY, et al.,
Defendants.

Case No. 1:20-cv-00997-DAD-EPG (PC)

ORDER DENYING PLAINTIFF'S MOTION
FOR THE COURT TO SET A SETTLEMENT
CONFERENCE

(ECF No. 43)

Jose Miguel Da Le Cruz ("Plaintiff") is a state prisoner proceeding *pro se* and *in forma pauperis* in this civil rights action filed pursuant to 42 U.S.C. § 1983. On May 16, 2022, Plaintiff filed what the Court construes as a motion for the Court to set a settlement conference. (ECF No. 43).

Plaintiff's motion will be denied. Defendants have indicated that they believe a settlement conference will not be productive until after the Court rules on their motion for summary judgment (ECF No. 38), which Defendants filed on May 13, 2022 (ECF No. 42). There is no indication in Plaintiff's motion that Defendants' position has changed. Additionally, given the pending motion for summary judgment, the Court will not require the parties to participate in a settlement conference at this time.

The Court notes that if the parties believe a settlement conference would be productive,

1 they can file a joint motion requesting a settlement conference. Additionally, Plaintiff may make
2 any settlement offers to Defendants that he chooses without court assistance.

3 Accordingly, IT IS ORDERED that Plaintiff's motion for the Court to set a settlement
4 conference is DENIED.

5
6 IT IS SO ORDERED.

7 Dated: May 18, 2022

/s/ Eric P. Grogan
UNITED STATES MAGISTRATE JUDGE